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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,221	04/09/2004	Roberto A. Franco	302823.01	1314
69316 7590 04/14/2009 MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052				
EXAMINER NUNEZ, JORDANY				
ART UNIT 2175		PAPER NUMBER		
NOTIFICATION DATE 04/14/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DBOUTON@MICROSOFT.COM
vfiling@microsoft.com
stevensp@microsoft.com

Office Action Summary

Application No.

10/822,221

Applicant(s)

FRANCO ET AL.

Examiner

Jordany Núñez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/05/2009 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-6, 8-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shafron (7107548) in view of Nwana et al. (US6266805, hereinafter Nwana) and Bloomfield et al. (20020196279).

Re claim 1, Shafron discloses a method comprising:

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(a) generating a user interface that identifies add-ons associated with an application program (controllable user interface with information or functionality using controlling software program, see abstract for example), the user interface comprising a plurality of lists of add-ons (figs. 2, 3, 4, el. 40), a status of each listed add-on (by virtue of being displayed, each of the activeX controls or plug-ins inherently have a status of enabled), a disable add-on function, and an enable add-on function (col. 5, l. 5-8 for example) (e.g., controlling program enables/disables activeX controls or plug-ins); and

(b) in response to user input, managing the enable/disable state of said add-ons (controlling using the controlling software program, see abstract for example) by:

(i) determining if the user has selected a list of add-ons, from the plurality of lists of add-ons (see column 2 lines 38-42 and abstract for example);

(ii) if the user has selected a list of add-ons, displaying the selected list of add-ons (see column 2 lines 38-42 and abstract for example),

(iii) determining if the user has selected a particular add-on from the displayed list of add-ons (see column 3 lines 8-10 for example);

(iv) if the user has selected a particular add-on from the displayed list of add-ons, determining if the user has chosen to disable or enable the particular add-on by activating the disable add-on or enable add-on function of the user interface (col. 5, l. 5-8; column 3 lines 8-10 for example) (e.g., controlling program enables/disables activeX controls or plug-ins);

(v) if the user has chosen to disable the particular add-on by activating the disable add-on function of the user interface, disabling the add-on (see col. 5, l. 5-8; column 16 lines 12-17 for example); and

(vi) if the user has chosen to enable the add-on by activating the enable add-on function of the user interface, enabling the add-on (see col. 5, l. 5-8; column 3 lines 8-10 for example).

Shafron fails to specifically show: the plurality of lists of add-ons comprising a list of add-ons that have been used by the application program, a list of add-ons that are currently used by the application program, and a list of add-ons that are currently blocked by the application program; wherein the user

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interface identifies add-ons by displaying a name of the add-on, a publisher of the add-on, a status of the add-on, a type of add-on, and a time when the add-on was last accessed.

In the same field of invention, Nwana teaches: a visualizer for debugging a community of collaborative software agents. Nwana further teaches: a reports tool providing a global view of problem solving in a society of agents, enabling a user to select a set of agents and requesting that they report the status of all their jobs, generating a GANTT chart showing the decomposition of the job, the allocation of its constituent subparts to different agents (plurality of lists of add-ons comprising a list of add-ons), and the relevant states of the job and subparts, the states including completed (e.g., have been used), running (e.g., currently used), and failed (e.g., blocked) (col. 37, l. 48-64).

In the field of invention Bloomfield teaches: an application being manipulated within the web browser. Bloomfield et al. further teaches: wherein said user interface identifies add-ons (e.g., application windows) by displaying information add-on attribute information of a legacy application program (see paragraph 00008). While Bloomfield does not necessarily teach displaying a name of the add-on, a publisher of the add-on, a status of the add-on, a type of add-on, and a time when the add-on was last accessed, the differences are only found in the nonfunctional descriptive material (e.g., the attribute information of a legacy application could well include name of the application, a publisher of the application, a status of the application, a type of application, and a time when the application was last accessed) and do not alter how the display functions (i.e., the descriptive material does not reconfigure the display). Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Thus, it would have been obvious to one of ordinary skill in the art, having the teachings of Shafron, Nwana, Bloomfield at the time that the invention was made, to have combined the teachings of Nwana and Bloomfield with the method as taught by Shafron.

One would have been motivated to make such combination because a way to visualize an arrangement for controlling, monitoring or managing a process would have been obtained and desired, as expressly taught by Nwana (column 2, lines 26-33).

Re claim 2, Shafron discloses a method, wherein said add-ons are chosen from the group comprising ActiveX.RTM. controls, browser helper objects, and toolbar extensions (see column 3 line 14 for example).

Re claim 3, Shafron discloses a method, wherein said add-ons include ActiveX.RTM. controls, and wherein the method further comprises updating said ActiveX.RTM. controls, in response to user input (dynamically, see column 1 lines 14-15 and column 2 lines 23-25 for example).

Re claim 4, Shafron discloses a method, wherein at least some of said add-ons are included in an explicit list of administrator-denied add-ons, and wherein the method further comprises prohibiting the enablement of said administrator-denied add-ons in response to user input (see column 15 lines 43-47 for example).

Re claim 5, Shafron discloses a method, wherein at least some of said add-ons are included in an explicit list of administrator-approved add-ons, and wherein the method further comprises allowing the disablement of said administrator-approved add-ons in response to user input (see column 16 lines 12-17 for example).

Re claim 6, Bloomfield et al. discloses wherein an administrator of the application program has the capacity to disable a user's ability to manage the add-ons (need to authenticate, see paragraph 0038 for example).

Re claim 8, Shafron discloses a method, wherein said user interface includes at least one list of add-ons chosen from the group of lists comprising add-ons that have been used by the application program, add-ons currently loaded for use with the application program, and add-ons currently blocked for use with the application program (see column 2 lines 38-42 and column 3 lines 30-37 for example).

Re claim 9, Shafron discloses a computer-readable storage medium comprising computer-executable instructions that, when executed by a processor perform a method comprising:

(a) generating a user interface configured to identify add-ons associated with an application program (controllable user interface with information or functionality using controlling software program, see abstract for example),

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the user interface comprising a plurality of lists of add-ons (figs. 2, 3, 4, el. 40), a status of each listed add-on (by virtue of being displayed, each of the activeX controls or plug-ins inherently have a status of enabled), a disable add-on function, and an enable add-on function (col. 5, l. 5-8 for example) (e.g., controlling program enables/disables activeX controls or plugins); and

(b) in response to user input, manages the enable/disable state of said add-ons (controllable user interface with information or functionality using controlling software program, see abstract for example) by:

(i) determining if the user has selected a list of add-ons from the plurality of lists of add-ons (see column 2 lines 38-42 and abstract for example);

(ii) if the user has selected a list of add-ons, displaying the selected list of add-ons (see column 2 lines 38-42 and abstract for example);

(iii) determining if the user has selected a particular add-on from the displayed list of add-ons (see column 3 lines 8-10 for example);

(iv) if the user has selected a particular add-on from the displayed list of add-ons, determining if the user has chosen to disable or enable the particular add-on by activating the disable add-on or enable add-on function of the user interface (col. 5, l. 5-8; column 3 lines 8-10 for example) (e.g., controlling program enables/disables activeX controls or plugins);

(v) if the user has chosen to disable the particular add-on by activating the disable add-on function of the user interface, disabling the add-on (see col. 5, l. 5-8; column 16 lines 12-17 for example); and

(vi) if the user has chosen to enable the add-on by activating the enable add-on function of the user interface, enabling the add-on (see col. 5, l. 5-8; column 3 lines 8-10 for example).

Shafron fails to specifically show: the plurality of lists of add-ons comprising a list of add-ons that have been used by the application program, a list of add-ons that are currently used by the application program, and a list of add-ons that are currently blocked by the application program, and wherein the user interface is configured to identify add-ons by displaying a name of the add-on, a publisher of the add-on, a status of the add-on, a type of add-on, and a time when the add-on was last accessed.

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In the same field of invention, Nwana teaches: a visualizer for debugging a community of collaborative software agents. Nwana further teaches: a reports tool providing a global view of problem solving in a society of agents, enabling a user to select a set of agents and requesting that they report the status of all their jobs, generating a GANTT chart showing the decomposition of the job, the allocation of its constituent subparts to different agents (plurality of lists of add-ons comprising a list of add-ons), and the relevant states of the job and subparts, the states including completed (e.g., have been used), running (e.g., currently used), and failed (e.g., blocked) (col. 37, l. 48-64).

In the field of invention Bloomfield teaches: an application being manipulated within the web browser. Bloomfield et al. further teaches: wherein said user interface identifies add-ons (e.g., application windows) by displaying information add-on attribute information of a legacy application program (see paragraph 00008). While Bloomfield does not necessarily teach displaying a name of the add-on, a publisher of the add-on, a status of the add-on, a type of add-on, and a time when the add-on was last accessed, the differences are only found in the nonfunctional descriptive material (e.g., the attribute information of a legacy application could well include name of the application, a publisher of the application, a status of the application, a type of application, and a time when the application was last accessed) and do not alter how the display functions (i.e., the descriptive material does not reconfigure the display). Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Thus, it would have been obvious to one of ordinary skill in the art, having the teachings of Shafron, Nwana, Bloomfield at the time that the invention was made, to have combined the teachings of Nwana and Bloomfield with the computer readable medium as taught by Shafron.

One would have been motivated to make such combination because a way to visualize an arrangement for controlling, monitoring or managing a process would have been obtained and desired, as expressly taught by Nwana (column 2, lines 26-33).

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Re claim 10, Shafron discloses a computer-readable storage medium, wherein said add-ons are chosen from the group comprising ActiveX.RTM. controls, browser helper objects, and toolbar extensions (see column 3 line 14 for example).

Re claim 11, Shafron discloses a computer-readable storage medium, wherein said add-ons include ActiveX.RTM. controls, and wherein the method further comprises updating said ActiveX.RTM. controls, in response to user input (dynamically see column 1 lines 14-15 and column 2 lines 23-25 for example).

Re claim 12, Shafron discloses a computer-readable storage medium, wherein at least some of said add-ons are included in an explicit list of administrator-denied add-ons, and wherein the method further comprises prohibiting the enablement of said administrator-denied add-ons in response to user input (see column 15 lines 43-47 for example).

Re claim 13, Shafron discloses a computer-readable storage medium, wherein at least some of said add-ons are included in an explicit list of administrator-approved add-ons, and wherein the method further comprises allowing the disablement of said administrator-approved add-ons in response to user input (see column 16 lines 12-17 for example).

Re claim 14, Bloomfield et al. discloses wherein an administrator of the application program has the capacity to disable a user's ability to manage the add-ons (need to authenticate, see paragraph 0038 for example). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have wherein an administrator of the application program has the capacity to disable a user's ability to manage the add-ons as taught by Bloomfield et al. on the method of Shafron and Nwana in order to provide privacy in information provided in the add-on.

Re claim 16, Shafron discloses a computer-readable storage medium, wherein said user interface includes at least one list of add-ons chosen from the group of lists comprising add-ons that have been used by the application program, add-ons currently loaded for use with the application program, and add-ons currently blocked for use with the application program (see column 2 lines 38-42 and column 3 lines 30-37 for example).

Response to Arguments

Applicant's arguments have been fully considered but are not persuasive. Examiner reiterates that references to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention. Applicant argues that:

1) Nwana employs a GANTT chart to debug and administer agents. The GANTT displays a decomposition of a job, the allocation of the jobs subparts, and the status of the job and subparts. There is nothing in the cited section, as well as the entire Nwana reference, that discloses, teaches or suggests a plurality of lists of add-ons comprising "a list of add-ons that have been used by the application program, a list of add-ons that are currently used by the application program, and a list of add-ons that are currently blocked by the application program". The recited element is simply missing (page 14, paragraph starting with "In other words [...]"; page 18, antepenultimate paragraph).

Examiner disagrees.

Applicant does not explain why a job/subpart may not be reasonably be interpreted as an Add-on. Applicant's specification (page 1, paragraph 3), states that an Add-on may be a small software program plugged into a larger application to provide added functionality. Further, as acknowledged by Applicant, Nwana teaches that Agents may be made up of jobs and subparts, thus the jobs and subparts (which can also be other agents) plug in to a larger application and provide added functionality. Moreover, Nwana teaches jobs and subparts having a displayed status of completed (e.g., have been used), running (e.g., currently used), and failed (e.g., blocked) (col. 37, l. 48-64). Thus, Nwana clearly teaches "a list of add-ons that have been used by the application program, a list of add-ons that are currently used by the application program, and a list of add-ons that are currently blocked by the application program."

2) Contrary to the Office's assertion, Bloomfield is directed to controlling the attributes (i.e., window position, z-order, size, style, color etc.) of an application's output window. Neither the cited paragraphs, nor the entire Bloomfield reference, discloses, teaches, or suggests "wherein the user

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interface identifies add-ons by displaying the name of the add-on, the publisher of the add-on, the status of the add-on, the type of add-on, and the time when the add-on was last accessed". The recited element is simply missing (page 16, paragraph starting with "Contrary to the Office's [...]"; page 19, antepenultimate paragraph).

Examiner disagrees.

As explained in the rejection, non-functional descriptive material will not make an otherwise non-allowable claim allowable.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordany Núñez whose telephone number is (571)272-2753. The examiner can normally be reached on Monday Through Thursday 9am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. N./
4/3/2009

/WILLIAM L. BASHORE/
Supervisory Patent Examiner, Art Unit 2175